

REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Additionally, Applicant respectfully requests entry of the following remarks under 37 CFR 1.116, as they place the Application in better condition for allowance or for consideration on appeal. The status of the claims is as follows:

- Claims 27-36 are currently pending
- Claims 1-26 are canceled herein.
- No claims are withdrawn herein.
- No claims are amended herein.
- No claims are added herein.

Allowed Claims

[0003] The Office Action indicates that claims 27-36 are allowable. Applicant would like to thank the Examiner for allowing claims 27-36. These claims have not been amended herein, and therefore remain in condition for allowance.

§ 103 Rejections of claims 1-26

[0004] Applicant cancels claims 1-26 herein. Applicant submits that the § 103 rejections of these claims are effectively rendered moot.

[0005] Accordingly, Applicant respectfully requests the Examiner quickly pass the case along to issuance.

Response to Examiner's Remarks

[0006] In the section of the Action entitled "Response to Arguments" (Action pp. 2-4) the Examiner asserts that Applicant had conceded certain points of the rejections made in the prior Office Action. Applicant respectfully traverses these remarks, as no concession of any point was conceded either explicitly or implicitly; neither by remark nor by amendment.

[0007] Furthermore, while Applicant has canceled claims 1-26 herein, no concession of unpatentability of these claims should be inferred.

Conclusion

[0008] In light of the forgoing remarks, early reconsideration and allowance of this application are most courteously solicited. Should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, they are invited to telephone or e-mail the undersigned.

[0009] In addition, it is believed that all of the pending claims have been fully addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

[0010] Finally, nothing in this communication should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this communication, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Randall T. Palmer 61440/
Randall T. Palmer
(randy@leehayes.com; 509-944-4761)
Registration No. 61440

Dated: 08/04/09

Rob Peck
(robp@leehayes.com; 206-876-6019)
Registration No. 56826